

PROFESSIONAL LICENSURE DIVISION[645]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 147.76, the Board of Hearing Aid Dispensers hereby gives Notice of Intended Action to rescind Chapter 120, "Administrative and Regulatory Authority for the Board of Examiners for the Licensing and Regulation of Hearing Aid Dispensers," to amend Chapter 121, "Licensure of Hearing Aid Dispensers," Chapter 122, "Continuing Education for Hearing Aid Dispensers," and Chapter 124, "Discipline for Hearing Aid Dispensers," and to rescind Chapter 125, "Fees," Iowa Administrative Code.

These proposed amendments rescind chapters and rules that duplicate existing rules in 645—Chapters 4 and 5; eliminate outdated or duplicative language in the requirements for licensure, continuing education, and discipline; and revise grounds for discipline to be consistent with changes in Iowa Code chapter 147.

Any interested person may make written comments on the proposed amendments no later than October 14, 2008, addressed to Sharon Dozier, Professional Licensure Division, Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; E-mail sdozier@idph.state.ia.us.

A public hearing will be held on October 14, 2008, from 10 to 11 a.m. in the Fifth Floor Board Conference Room, Lucas State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed amendments.

These amendments are intended to implement Iowa Code chapters 21, 147, 154A and 272C.

The following amendments are proposed.

ITEM 1. Rescind and reserve **645—Chapter 120**.

ITEM 2. Strike the words "board of examiners for the licensing and regulation of hearing aid dispensers" wherever they appear in **645—Chapter 121**~~**645—Chapter 122**~~~~**645—Chapter 124**~~ and insert the words "board of hearing aid dispensers" in lieu thereof:

ITEM 3. Rescind and reserve rules **645—121.7(154A)**, **645—121.12(154A,147)** and **645—121.13(272C)**.

ITEM 4. Rescind and reserve rules **645—122.4(154A,272C)** to **645—122.7(154A,272C)**.

ITEM 5. Amend subrule 124.2(3), as follows:

124.2(3) Professional ~~incompetency~~ incompetence. Professional ~~incompetency~~ incompetence includes, but is not limited to:

ITEM 6. Amend subrule 124.2(16) as follows:

124.2(16) Conviction of a ~~felony~~ crime related to the profession or occupation of the licensee or the conviction of any ~~felony~~ crime that would affect the licensee's ability to practice as a hearing aid dispenser. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

ITEM 7. Rescind and reserve rule **645—124.5(154A)**.

ITEM 8. Rescind and reserve **645—Chapter 125**.